

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Patent Application No. 09/954,509

Applicant: Omshehe et al.

Filed: September 14, 2001

TC/AU: 2141

Examiner: Kristie D. Shingles

Docket No.: 213306 (Client Reference No. 00,204US)

Customer No.: 23460

**TRANSMITTAL OF AMENDED
APPELLANTS' APPEAL BRIEF**

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 41.37, appellants hereby submit Appellants' Amended Brief on Appeal.

The items checked below are appropriate:

1. Status of Appellants

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

2. Fee for Filing Brief on Appeal

Pursuant to 37 CFR 41.20(2), the fee for filing the Brief on Appeal is for: ☒ other than a small entity or ☐ a small entity.

Brief Fee Due \$500.00

3. Oral Hearing

☐ Appellants request an oral hearing in accordance with 37 CFR 41.47.
A separate paper requesting oral hearing is attached.

4. Extension of Time

☒ Appellants petition for a four-month extension of time under 37 CFR 1.136, the fee for which is \$1,590.00.

- ☐ Appellants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that appellants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$1590.00

5. Total Fee Due

The total fee due is:

Brief on Appeal Fee	\$500.00
Less Brief on Appeal Fee already paid	\$2090.00
Request for Oral Hearing	\$ 0.00
Extension Fee (if any)	\$1590.00

Total Fee Due: \$0.00

6. Fee Payment

- ☐ Attached is a check in the sum of \$.
- ☐ Charge Account No. 12-1216 the sum of \$0.00. A duplicate of this transmittal is attached.

7. Fee Deficiency.

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate copy of this transmittal is attached.

Respectfully submitted,



Mark Joy, Reg. No. 35,562
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Date: December 17, 2007